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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,875	10/22/2001	Paul Coffin	10013458-1	4658

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

VAN PELT, BRADLEY J

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 04/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,875

Applicant(s)

COFFIN ET AL.

Examiner

Bradley J Van Pelt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 9-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of --Group E-- as shown in Fig. 3A in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 9-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang (USPN 6,161,909).

Huang discloses a device for limiting the movement of a first body (22) in relation to a second body (16), comprising:

a bendable piece of material (4), wherein the piece comprises a first section and a second section contiguous to the first section, wherein the second section forms a first angle with respect to the first section, wherein the first angle is measured in a counter-clockwise direction from the

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first section, wherein the first angle is at least zero degrees and is less than 135 degrees when the piece is un-deflected, and wherein at least a portion of the first section is attachable to the second body;

wherein the piece is selected from the group consisting of wire, sheet stainless spring steel, a band, and a molded part;

wherein the portion of the first section is attached to the second body, wherein the piece is positioned in a first position relative to the second body, and wherein when the piece is positioned in the first position the second section prevents movement in a pre-selected direction of the first body past the second section;

wherein a force applied to the second section positions the piece in a second position relative to the second body and wherein the piece is positioned in the second position the first body is capable of unrestricted motion past the second section in the pre-selected direction;

wherein the movement of the piece from the first position to the second position occurs in a plain substantially perpendicular to a plane which includes the first angle;

wherein the piece further comprises a third section, wherein the third section is contiguous to the second section, wherein the third section forms a second angle with parallel translation of the first section, wherein vertex of the second angle is located where the second section and the third section are contiguous, from the parallel translation of the first section, and wherein the second angle is at least 190 degrees and is less than 270 degrees when the piece is un-deflected;

wherein movement of the piece from the first position to the second position occurs in a plain substantially perpendicular to a plane which includes the first and second angles;

wherein the piece further comprises a fourth section, wherein the fourth section is separately contiguous to the third section, wherein the fourth section forms a third angle with parallel translation of the first section, wherein vertex of the third angle is located where the third section and the fourth section are contiguous, wherein the third angle is measured in a counter-clockwise direction from the parallel translation of the first section, and wherein the third angle is at least 135 degrees and is less than 225 degrees when the piece is un-deflected.

5. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Burgess (USPN 3,194,623).

Burgess discloses a device for limiting the movement of a first body (15) in relation to a second body (12), comprising:

a bendable piece of material, wherein the piece comprises a first section (29) and a second section (23) contiguous to the first section, wherein the second section forms a first angle with respect to the first section, wherein the first angle is measured in a counter-clockwise (when viewed from opposite direction shown in figs.) direction from the first section, wherein the first angle is at least zero degrees and is less than 135 degrees when the piece is un-deflected, and wherein at least a portion of the first section is attachable to the second body;

wherein the piece is selected from the group consisting of wire, sheet stainless spring steel, a band, and a molded part;

wherein the portion of the first section is attached to the second body, wherein the piece is positioned in a first position relative to the second body, and wherein when the piece is positioned in the first position the second section prevents movement in a pre-selected direction of the first body past the second section;

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wherein a force applied to the second section positions the piece in a second position relative to the second body and wherein the piece is positioned in the second position the first body is capable of unrestricted motion past the second section in the pre-selected direction;

wherein the movement of the piece from the first position to the second position occurs in a plane substantially perpendicular to a plane which includes the first angle;

wherein the piece further comprises a third section, wherein the third section (27a) is contiguous to the second section, wherein the third section forms a second angle with parallel translation of the first section, wherein vertex of the second angle is located where the second section and the third section are contiguous, from the parallel translation of the first section, and wherein the second angle is at least 190 degrees and is less than 270 degrees when the piece is un-deflected;

wherein movement of the piece from the first position to the second position occurs in a plain substantially perpendicular to a plain which includes the first and second angles;

wherein the piece further comprises a fourth section, wherein the fourth section (26) is separately contiguous to the third section, wherein the fourth section forms a third angle with parallel translation of the first section, wherein vertex of the third angle is located where the third section and the fourth section are contiguous, wherein the third angle is measured in a counter-clockwise direction from the parallel translation of the first section, and wherein the third angle is at least 135 degrees and is less than 225 degrees when the piece is un-deflected.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ellis (USPN 2,947,048), Tedesco (USPN 3,536,348), Ackeret (USPN 3,995,737),

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Piget (USPN 4,180,347), Hickling (USPN 4,462,142), Old et al. (USPN 4,584,899), Ormiston (USPN 4,740,027), Kupersmit (USPN 3,830,034), Smith et al. (USPN 6,390,226).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley J Van Pelt whose telephone number is (703)305-8176.

The examiner can normally be reached on M-Th 7:00-4:30, 2nd F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on (703)308-3668. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9391 for regular communications and (703)305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-2168.

BJVP *BJVP*
March 26, 2003

Thomas R. Harmon
Thomas R. Harmon
Primary Examiner